

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTOINE DESHAWN BARNES,

Plaintiff,

v.

MULE CREEK STATE PRISON CASE  
RECORDS OFFICE, et al.,

Defendants.

No. 2:22-cv-00003-TLN-AC

**ORDER**

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 28, 2022, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 13.) Plaintiff has not filed objections to the findings and recommendations. Plaintiff has, however, filed a document styled as a petition for habeas corpus, in which he appears to request compensatory damages and other relief that does not involve speedier release from custody. (ECF No. 14.) The document does not correct the deficiencies noted in the amended complaint or seek cognizable habeas relief. *See Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973) (writ of habeas corpus is appropriate federal remedy when “a state prisoner is challenging the very fact or duration of his

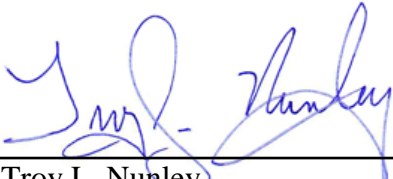
1 physical imprisonment, and the relief he seeks is a determination that he is entitled to immediate  
2 release or a speedier release from that imprisonment”).

3 The Court has reviewed the file and finds the findings and recommendations to be  
4 supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY  
5 ORDERED that:

6 1. The Findings and Recommendations filed December 28, 2022 (ECF No. 13), are  
7 adopted in full; and

8 2. The First Amended Complaint is DISMISSED without leave to amend for failure to  
9 state a claim.

10 **DATED: February 7, 2023**

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13 Troy L. Nunley  
14 United States District Judge  
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